

Message Text

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65-60

ORIGIN EB-07

INFO OCT-01 EA-10 ISO-00 L-02 CIAE-00 COME-00 DODE-00

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TO AMEMBASSY CANBERRA

INFO AMCONSUL SYDNEY

UNCLAS STATE 039216

E.O. 11652: N/A

TAGS: EWWT, AS, US

SUBJECT: SHIPPING: REQUEST FOR CLARIFICATION OF GOA TRADE
PRACTICES ACT, 1974

1. PART X (OVERSEAS CARGO SHIPPING) OF GOA TRADE PRACTICES ACT OF 1974, EFFECTED FEBRUARY 1, 1975, SETS FORTH COMPREHENSIVE REGULATIONS GOVERNING OUTBOUND FROM AUSTRALIA CONFERENCE ACTIVITIES. US ATLANTIC & GULF/ AUSTRALIA-NEW ZEALAND CONFERENCE (INBOUND TO AUSTRALIA) HAS RAISED CONCERN THAT WORDING (BECAUSE OF DEFINITION OF SHIPOWNER) OF PARA 112, PART X, WITH RESPECT TO THE NONAPPLICABILITY OF PART IV (RESTRICTIVE TRADE PRACTICES) TO OUTBOUND CONFERENCES LEAVES IN DOUBT POSSIBLE APPLICATION OF PART IV TO INBOUND CONFERENCES. WHILE INTENT OF PART X CLEARLY APPEARS TO BE THE REGULATION OF OUTBOUND SHIPPING ACTIVITIES ONLY, SILENCE OF PARA 112 RAISES LEGAL QUESTION RE APPLICABILITY OF PART IV TO INBOUND CONFERENCES. THE CONCERN IS THAT PART IV APPLIES

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TO INBOUND CONFERENCES.

2. EMBASSY REQUESTED TO DISCUSS MATTER WITH MOT AND
REQUEST CLARIFICATION. CONFERENCE ATTORNEY BELIEVES
OTHERS MAY HAVE RAISED PROBLEM WITH GOA AND SUGGESTED
CHANGES TO PARA 112 TO REMOVE QUESTION OF DOUBT RE APPLI-
CABILITY OF PART IV TO INBOUND CONFERENCES. KISSINGER

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